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Letter dated 3 November 2016 from the President of the Governing Council of the United Nations Compensation Commission addressed to the President of the Security Council

I am pleased to provide my report, as the President of the Governing Council of the United Nations Compensation Commission, on the results of the Council's eighty-first session, which was held in Geneva on 2 November 2016. The full text of the conclusions adopted by the Council, together with additional documentation, is attached.[1] I would, however, like to highlight a few of the issues discussed during the session.

During the opening plenary meeting, delegations from the Governments of Kuwait and Iraq, including a delegation from Iraq's Committee of Financial Experts, which is responsible for the oversight of Iraq's oil revenues, addressed the Council.

At the session, the Governing Council considered Iraq's request for an additional postponement of the requirements under Security Council resolution 1956 (2010) that Iraq deposit 5 per cent of the proceeds from all export sales of petroleum, petroleum products and natural gas, and 5 percent of the value of any non-monetary payments of petroleum, petroleum products and natural gas made to service providers, into the United Nations Compensation Fund unless the Government of Iraq and the Governing Council, in the exercise of its authority over the methods of ensuring that payments are made into the Fund, decide otherwise. In considering Iraq's request, the Governing Council noted that the extraordinarily difficult security circumstances in Iraq had continued since the Council's adoption of decisions 272 (2014) and 273 (2015) which postponed Iraq's obligations over the course of 2015 and 2016, respectively.

After careful consideration, the Council adopted decision 274 (S/AC.26/Dec.274 (2016)), a copy of which is also attached.[1] This decision postponed the requirements set out above until 1 January 2018, with payments towards the Commission's outstanding award resuming in 2018 in accordance with Council decision 267 (2009). In adopting this decision, the Council noted with appreciation Kuwait's support for Iraq's request and Iraq's continued commitment to complying with its obligations as set out in paragraph 3 of Security Council resolution 1956 (2010). The Council also stressed the importance of Iraq fulfilling

[1] Not included in the present document.

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its obligations in a timely manner, of the integrity of the Commission and of bringing the Commission's mandate to a conclusion.

I would like to highlight paragraphs 5 and 6 of decision 274 (2016), pursuant to which the Secretariat has been directed to explore options to ensure the continuation of the payment of the $4.6 billion that remains owing to Kuwait and to report back to the Council, and that the Governments of Iraq and Kuwait have been encouraged to collaborate on future options to be shared with the Secretariat.

With regard to Iraq's request for access to the archives of the Commission, the Council took note of the statements made by the delegation of Iraq at the opening plenary session and reaffirmed its previous positions regarding the request.

The Council adopted the report of the Committee on Administrative Matters, which met during the session and approved the Commission's budget for 2017.

The next session of the Governing Council has been tentatively scheduled for 24 April 2017.

(*Signed*) Ana María **Menéndez Pérez**
Ambassador
President of the Governing Council